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United States of America

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

DOLORES BUSH-SEWELL,

Plaintiff,

v.

CAMCARE HEALTH CORPORATION,  
et al.,

Defendants.

HONORABLE ROBERT B. KUGLER

Civil Action No. 16-5358 (RBK)(KMW)

CONSENT ORDER

This matter having been opened to the Court by Paul J. Fishman, United States Attorney for the District of New Jersey, by Elizabeth A. Pascal, Assistant United States Attorney appearing, as counsel for Defendants CAMcare Health Corporation and the United States Department of Health and Human Services; and it appearing that the claims against CAMcare Health Corporation and the United States Department of Health and Human Services are governed by the Federal Tort Claims Act ("FTCA"), 28 U.S.C. §§ 1346(b), 2401, 2671 to 2680, which is applicable to federally qualified health centers through the Federally Supported Health Centers

Assistance Act ("FSHCAA"), 42 U.S.C. §§ 233 (a)-(n); and it further appearing that based on the Scope of Employment Certification of Civil Chief Caroline Sadlowski, CAMcare Health Corporation is a deemed employee of the United States and therefore, under the FSHCAA, the proper party defendant is the United States of America, 42 U.S.C. § 233(c); and it further appearing that under the FTCA, the United States Department of Health and Human Services is a federal agency that cannot be sued in its own name, 28 U.S.C. § 2679(a); and Counsel for all parties having consented to the form and entry of this Order; and for good cause shown,

IT IS this 16th day of March, 2017,

ORDERED that the United States of America shall be substituted as the proper party defendant for Defendants CAMcare Health Corporation and the United States Department of Health and Human Services; and it is further

ORDERED that the caption of this action shall be amended to reflect the substitution of the United States as the party defendant; and it is further

ORDERED that Defendants CAMcare Health Corporation and the United States Department of Health and Human Services are hereby DISMISSED as party defendants.

  
KAREN M. WILLIAMS, U.S.M.J.

Without waiving any rights, claims or defenses, we consent to the form and entry of this Order.

STARKMAN LAW FIRM



Morris Starkman, Esquire  
Alfred J. Tumolo, Esquire  
Counsel for Plaintiff

Dated: 2/3, 2017

PAUL J. FISHMAN  
UNITED STATES ATTORNEY



Elizabeth A. Pascal  
Assistant U.S. Attorney  
Counsel for Federal Defendants

Dated: Feb. 8, 2017